

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. to 8. (Canceled).

9. (Currently amended): A method for fabricating a nitride-based semiconductor light emitting device, including:

forming at least a first nitride-based semiconductor layer, including an active layer of said nitride-based semiconductor light emitting device; and

forming a current narrowing structure on said at least a first nitride-based semiconductor layer, comprising:

forming, on said at least a first nitride-based semiconductor layer, a mask of a material including nitrogen as a constituent element, and then

selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask.

10. (Original): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 9 wherein said material including nitrogen as the constituent element is silicon nitride.

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No. 09/161,981

11. (Original): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 10 wherein the coverage of said mask is not greater than 50%.

12. (Currently amended): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 9, the step of forming at least a first nitride-based semiconductor layer comprising:

forming on a substrate at least a nitride-based semiconductor layer of a first conductivity type,

forming at least one nitride-based semiconductor layer including at least [[an]] said active layer, and

forming at least one nitride-based semiconductor layer of a second conductivity type,

wherein the opening in said mask is stripe-shaped, and said at least a second nitride-based semiconductor layer includes a nitride-based semiconductor layer of the second conductivity type.

13. (Original): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 12 wherein said material including nitrogen as the constituent element is silicon nitride.

14. (Original): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 13 wherein the coverage of said mask is not greater than 50%.

15.- 26. (Canceled).

27. (Currently amended): A method for fabricating a nitride-based semiconductor light emitting device, including:

forming at least a first nitride-based semiconductor layer, including an active layer of said nitride-based semiconductor light emitting device; and

forming a structure on said at least a first nitride-based semiconductor layer, said structure confining light of said nitride-based semiconductor light emitting ~~light-emitting~~ device in a horizontal direction in parallel to a substrate, comprising:

forming, on said at least a first nitride-based semiconductor layer, a mask of a material including nitrogen as a constituent element, and then

selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask.

28. (Previously presented): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 27 wherein said material including nitrogen as the constituent element is silicon nitride.

29. (Previously presented): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 27 wherein the coverage of said mask is not greater than 50%.

30. (Currently amended): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 27, the step of forming at least a first nitride-based semiconductor layer comprising:

forming on the substrate at least one layer including at least a nitride-based semiconductor layer of a first conductivity type,

forming at least one nitride-based semiconductor layer including at least [[an]] said active layer, and

forming at least one nitride-based semiconductor layer including a semiconductor layer of a second conductivity type,

wherein the opening in said mask is stripe-shaped, and said at least a second nitride-based semiconductor layer includes a nitride-based semiconductor layer of the second conductivity type.

31. (Previously presented): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 30 wherein said material including nitrogen as the constituent element is silicon nitride.

32. (Previously presented): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 31 wherein the coverage of said mask is not greater than 50%.

33. (New): A method for fabricating a nitride-based semiconductor light emitting device claimed in Claim 1, wherein said selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask further comprises:

growing said at least a second nitride-based semiconductor layer in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed,

while growing said at least a second nitride-based semiconductor layer, suppressing decomposition of the mask by having a partial pressure of nitrogen that balances separation of nitrogen from said mask with absorption of nitrogen to said mask.

34. (New): A method for fabricating a nitride-based semiconductor light emitting device claimed in Claim 12, wherein said selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask further comprises:

growing said at least a second nitride-based semiconductor layer in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed,

while growing said at least a second nitride-based semiconductor layer, suppressing decomposition of the mask by having a partial pressure of nitrogen that balances separation of nitrogen from said mask with absorption of nitrogen to said mask.

35. (New): A method for fabricating a nitride-based semiconductor light emitting device claimed in Claim 27, wherein said selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask further comprises:

growing said at least a second nitride-based semiconductor layer in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed,

while growing said at least a second nitride-based semiconductor layer, suppressing decomposition of the mask by having a partial pressure of nitrogen that balances separation of nitrogen from said mask with absorption of nitrogen to said mask.

36. (New): A method for fabricating a nitride-based semiconductor light emitting device claimed in Claim 30, wherein said selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask further comprises:

growing said at least a second nitride-based semiconductor layer in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed,

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No. 09/161,981

while growing said at least a second nitride-based semiconductor layer, suppressing decomposition of the mask by having a partial pressure of nitrogen that balances separation of nitrogen from said mask with absorption of nitrogen to said mask.